

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:13-cv-00642-MOC-DSC

**JACK LEACH,** )  
 )  
 Plaintiff, )  
 )  
 Vs. ) ORDER  
 )  
**CAST MANAGEMENT CONSULTANTS, INC.,** )  
 )  
 Defendant. )

**THIS MATTER** is before the court on the court's own Motion to Lift the Stay. Review of the pleadings reveals that this matter was stayed by Suggestion of Bankruptcy (#13) filed by attorney Heather Culp on February 27, 2014, and that Ms. Culp's appearance for plaintiff was entered by the Clerk of Court on that day. Earlier in the litigation, other attorneys at Ms. Culp's firm, Essex Richards, PA, appeared as counsel for plaintiff and also remain as counsel of record herein.

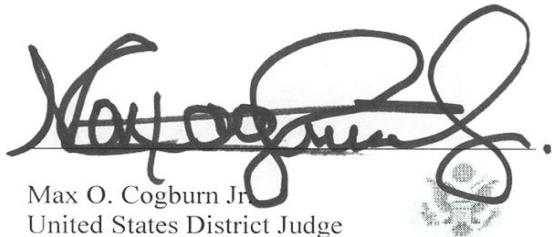
On or about March 9, 2016, the Bankruptcy Court for this district dismissed plaintiff's petition, terminating the proceeding in Bankruptcy which resulted in the stay in this court. Despite the passage of more than 60 days, counsel for neither party advised the court of such disposition, and on May 17, 2016, chambers staff contacted respective lead counsel of record via email regarding the status of this civil proceeding. In what can only be described as a communication out of the norm, the plaintiff himself responded to chambers stating that he now anticipated filing a Chapter 11 proceeding. A subsequent email from Ms. Culp provided that "Mr. Leach is representing himself in this matter as far as I know." Review of the record does not reveal that

Ms. Culp, or her colleagues, have been relieved of her representation obligations in this matter. To clear up any confusion, a status hearing is required and all counsel of record and Mr. Leach will be required to attend.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the court's own Motion to Lift the Stay is **GRANTED**, the stay is lifted, and the Clerk of Court is instructed to set this matter for a **STATUS HEARING** on Friday, May 20, 2016, at 9:30 a.m. All counsel of record and Mr. Leach are required to attend.

Signed: May 18, 2016



A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". Below the signature is a small, faint, circular official seal or stamp.

Max O. Cogburn Jr.  
United States District Judge